Marketing of formulations without price approval

516. Shri H. HANUMANTHAPPA : Will the PRIME MINISTER be pleased to state :

(a) whether it is a fact that certain files of drug companies relating to marketing of formulations without price approval, are missing;

(b) if so, the details thereof;

(c) what are the names of these companies and what are the details of files which have not been traced so far; and

(d) what are the names of products invoived and the reasons for not taking any action against these companies ?

THE MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI CHINTA MOHAN) : (a) to (b) Only one file pertaining to following cases of M/s. Ranbaxy Laboratories is not traceable and efforts are on to locate the same.

1. Asbron Tablets 10's/Syrup 100ml
2. Brustan Tablets 10's
3. Matrifort Tablets 30's/100's
4. Roscilox Capsules 500mg/10's
5. Stanrox Formulations
6. Setcort-N Cream 15gm & Stecort-NM Cream 15gm.

However, the file has been reconstructed and the matter is being pursued.

Non-Implementation of provisions of DPCO 1987

517. SHRIMATI KAILASHPATI: Will the PRIME MINISTER be pleased to refer to the answer to Unstarred Question 1132 giving in the Rajya Sabha on the 7th may, 1992 and state :

(a) what are the reasons for non-implementation of provisons of DPCO, 1987 reletating to price list details in Form-2A and Returns in Form-6;

(b) what was the purpose under which such provisions were created;

(c) whether it is a fact that due to non-implementation of these provisions, the producers are violating the price control giving high trade discounts and also issuing credit notes on supplies;

(d) whether Government Propose to fix ceiling on price decontrol and maximum rate of discount; and if so, by when; and

(e) whether it is also a fact that Government have not been able to detect any defaulter so far; if so, the reasons therefor ?

THE MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI CHINTA MOHAN) : (a) to (c) Price list in Forms 5/5A has been prescribed under DPCO 87, besically for the purpose of keeping watch on the prices. Form 6 has been prescribed in DPCO' 87 to have a record relating to sales turnover of bulk drugs and formulations and Profitablity of the company. Reasons for non-submission of these forms could be to avoid scrutiny of these points by the Government.

(d) This is being looked into as a Part of the exercies on review of Drug Policy.

(e) No, Sir. The matter is being pursued with the companies who do not submit price list and Form 6 regularly.

Price verification of producers of packaging materials

518. SHRI NYODEK YONGGAM : Will the PRIME MINISTER be pleased to state :

(a) whether it is a fact that while recommending cost of packing materials neither his Ministry nor the BICP have verified producers sale prices of packing materials;

(b) what are the names of producers of packing materials whose prices were verified alongwith the name of each item and its sale price;

(c) whether it is a fact that BICP provided for credit and discounts while working out the cost of packing materials;

(d) whether it is also a fcat that non of the recommendations of BICP are changed without prior consultation with them; and

(e) if so, what are the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI CHINTA MOHAN) : (a) No Sir.

(b) The names of major producers/ suppliers of major packing materials whose prices were verified by BICP are given below :

(1) Alum Foils; M/s India Foils and M/s. Indian Alum.

(2) Glass Vials : M/s. Vazir Glass Co., Gujarat Glass & Neutral Glass etc.

(3) PVC Films : Amar Thara Plastic Ltd., M/s. Caprihans India Limited.

(4) Glass Bottle : M/s. A. R. Marketing.

(5) Alum. Tubes : Packam and Co., Impact containers, M/s. Extrusion Process Ltd.

(6) Ampoules : Kapor Glass Ind.

(c) While the BICP has not specifically provided for credit and discounts, (as not reflected in the invoices) in working out the cost of packing materials, it has also not merely used the data furnished by the formulators. In the methodology for working out packing materials ceilings, the extreme prices (too high/too low) as per the formulators' claims have been ignored and average price worked out based on the remaining claimed prices. These also have been checked on the basis of dealers price lists, wherever available.

(d) No, Sir.

(e) Does not arise.

Assessment of Betamethasone and Dexamethasone

519. SHRI NYODEK YONGGAM : Will the PRIME MINISTER be pleased to state :

(a) what is the amount assessed in respect of Betamethasone used by Pfizer and Dexamethasone used by M/s Cadila under Para 7 (2) of DPCO, 1979;

(b) whether Government have called for the details from these companies in respect to unintended benefit; if so, when and what is the response in each case ?

THE MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI CHINTAMOHAN) : (a) to (b) To the extent information is available no liability has been assessed so far in respect of Betamethasone used by M/s. Pfizer, However, M/s. Cadila has been asked to submit the data by the first week of December, regarding the unintended benefit, if any, enjoyed by them on bulk drug Dexamethasone. The company has been directed to furnish the data failing which action would be initiated against them under the provisions of DPCO, 1987 and the Essential Commodities Act,1955.

Bombay High Court order relating to the Drug Companies

520. SHRI NYODEK YONGGAM : Will the PRIME MINISTER be pleased to state :

(a) what are the details of the interim orders passed by the Bombay High Court in the case of M/s. Sandoz, M/s Pfizer and M/s. Hoechst;

(b) when these orders were passed in each case and what action has been taken on each of these orders;

(c) what is the present position in each case and when the complete liability in each case would be worked out;

(d) whether it is a fact that liability of M/s. Hoechst in case of some packs based on Pheniramine is yet to be worked out as the company has not furnished the details; and